



VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

NORTHERN REGIONAL OFFICE
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Matthew J. Strickler
Secretary of Natural Resources

David K. Paylor
Director
(804) 698-4000

Thomas A. Faha
Regional Director

**STATE WATER CONTROL BOARD
ENFORCEMENT ACTION - ORDER BY CONSENT
ISSUED TO
Dominion Pallet, Inc.
FOR
Dominion Pallet
VPDES Permit No. VAR05
Storm Water Registration No. VAR051528**

SECTION A: Purpose

This is a Consent Order issued under the authority of Va. Code § 62.1-44.15, between the State Water Control Board and Dominion Pallet, Inc., regarding the Dominion Pallet facility, for the purpose of resolving certain violations of the State Water Control Law and the applicable permit and regulation.

SECTION B: Definitions

Unless the context clearly indicates otherwise, the following words and terms have the meaning assigned to them below:

1. "305(b) report" means the report required by Section 305(b) of the Clean Water Act (33 United States Code § 1315(b)), and Va. Code § 62.1-44.19:5 for providing Congress and the public an accurate and comprehensive assessment of the quality of State surface waters.
2. "Board" means the State Water Control Board, a permanent citizens' board of the Commonwealth of Virginia, as described in Va. Code §§ 10.1-1184 and 62.1-44.7.
3. "CSCE" means comprehensive site compliance evaluation.

4. "Department" or "DEQ" means the Department of Environmental Quality, an agency of the Commonwealth of Virginia, as described in Va. Code § 10.1-1183.
5. "Director" means the Director of the Department of Environmental Quality, as described in Va. Code § 10.1-1185.
6. "Discharge" means the discharge of a pollutant.
7. "Discharge of a pollutant" when used with reference to the requirements of the VPDES permit program means:
 - a. Any addition of any pollutant or combination of pollutants to surface waters from any point source; or
 - b. Any addition of any pollutant or combination of pollutants to the waters of the contiguous zone or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation.
8. "DMR" means Discharge Monitoring Report.
9. "Dominion Pallet, Inc." means Dominion Pallet, Inc., a corporation authorized to do business in Virginia and its affiliates, partners, and subsidiaries. Dominion Pallet, Inc. is a "person" within the meaning of Va. Code § 62.1-44.3.
10. "Facility" or "Site" means the Dominion Pallet facility, located at 9644 Cross County Rd, Mineral, Virginia 23117, from which discharges of stormwater associated with industrial activity occur.
11. "Notice of Violation" or "NOV" means a type of Notice of Alleged Violation under Va. Code § 62.1-44.15.
12. "Order" means this document, also known as a "Consent Order" or "Order by Consent," a type of Special Order under the State Water Control Law.
13. "Permit" means VPDES Industrial Stormwater General Permit No. VAR05, which was issued under the State Water Control Law and the Regulation on July 1, 2014, and which expires on June 30, 2019. Dominion Pallet, Inc. applied for registration under the Permit and was reissued Registration No. VAR051528 on August 26, 2014.
14. "NRO" means the Northern Regional Office of DEQ, located in Woodbridge, Virginia.
15. "Registration statement" means a registration statement for coverage under a storm water general permit.

16. "Regulation" means the General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Discharges of Storm Water Associated with Industrial Activity," 9 VAC 25-151-10, *et seq.*
17. "State Water Control Law" means Chapter 3.1 (§ 62.1-44.2 *et seq.*) of Title 62.1 of the Va. Code.
18. "State waters" means all water, on the surface and under the ground, wholly or partially within or bordering the Commonwealth or within its jurisdiction, including wetlands. Va. Code § 62.1-44.3.
19. "SWP3" means Stormwater Pollution Prevention Plan.
20. "Va. Code" means the Code of Virginia (1950), as amended.
21. "VAC" means the Virginia Administrative Code.
22. "VPDES" means Virginia Pollutant Discharge Elimination System.
23. "Warning Letter" or "WL" means a type of Notice of Alleged Violation under Va. Code § 62.1-44.15.

SECTION C: Findings of Fact and Conclusions of Law

1. Dominion Pallet, Inc. owns and operates the Dominion Pallet facility, located at 9644 Cross County Rd, Mineral, Virginia, which discharges stormwater associated with industrial activity.
2. The Permit allows Dominion Pallet, Inc. to discharge stormwater associated with industrial activity from the Facility to an unnamed tributary of Cub Creek, in strict compliance with the terms and conditions of the Permit.
3. Cub Creek is located in the York River Basin. A monitored portion of Cub Creek located 1.5 mile downstream of the Facility is listed in DEQ's 305(b) report as impaired for Aquatic Life Use (dissolved oxygen and benthic macroinvertebrate bioassessment) and impaired for Bacteria.
4. A file review by DEQ noted that Dominion Pallet, Inc. failed to submit DMRs for Outfall 001 for the following periods: July 1, 2009 through December 31, 2009; January 1, 2010 through December 31, 2010; January 1, 2013 through December 31, 2013. Dominion Pallet, Inc. also failed to submit a DMR for Outfall 002 for the July 1, 2014, through December 31, 2014, monitoring period. A Chesapeake Bay TMDL DMR (CB-TMDL DMR) was not submitted for either Outfall during the July 1, 2014, through December 31, 2014, monitoring period.

5. On April 29, 2015, DEQ staff conducted an inspection of the Facility and noted the following compliance deficiencies:
 - a. The SWPPP was not updated to reflect the requirements of the new Permit, effective July 1, 2014, as required by Part III.A.1 of the Permit.
 - b. Documentation was not provided to demonstrate that Quarterly Visual Examinations were being conducted, as required by Part I.A.1.a of the Permit.
 - c. Documentation was not provided to demonstrate that Routine Facility Inspections were being conducted quarterly, as required by Part III.B.5 of the Permit.
 - d. Housekeeping items were out of compliance with the requirements of Part III.B.4.b of the Permit: sawdust and wood debris had been disposed of in a manner which covered the drop inlet associated with Outfall 001; a hole in the concrete drop inlet of structure of Outfall 001 was observed; and Outfall 002 was observed to be approximately half-filled with sawdust debris.
6. On June 30, 2015, DEQ issued NOV No. W2015-06-N-0015 to Dominion Pallet, Inc. for the deficiencies noted above.
7. On July 27, 2015, Dominion Pallet, Inc. signed a Letter of Agreement with DEQ, which agreed that Dominion Pallet, Inc. would perform the following actions to return to compliance:
 - a. Submit an updated SWPPP to DEQ by August 31, 2015
 - b. Submit to DEQ documentation of Quarterly Visual Monitoring for the three quarters following the last compliance inspection (i.e., April – June, July – September, and October – December, 2015)
 - c. Submit to DEQ documentation of Routine Facility Inspections for the three quarters following the last compliance inspection (i.e., April – June, July – September, and October – December, 2015)
 - d. Submit to DEQ Benchmark Monitoring DMRs for Outfalls 001 and 002 for the January through June, 2015, monitoring period
 - e. Submit to DEQ the CB-TMDL DMRs for Outfalls 001 and 002 for the January through June, 2015, monitoring period
 - f. Submit to DEQ documentation of the 2015 Annual Comprehensive Site Compliance Evaluation (CSCE) report by January 10, 2016
 - g. Submit to DEQ documentation of the 2015 Annual Outfall Evaluation for Unauthorized Discharges (for Outfalls 001 and 002) by January 10, 2016
 - h. Submit a plan to DEQ by August 31, 2015, detailing Dominion Pallet, Inc.'s plans to meet good housekeeping practices
8. DEQ file review revealed that Benchmark DMRs for Outfalls 001 and 002 for the January 1 – June 30, 2015, monitoring period were not received by DEQ, as required in Part I.A.1.b, Table 70-1; Part I.A.2.d.(2); and Part I.A.5.a of the Permit.
9. On September 22, 2015 DEQ issued Dominion Pallet, Inc. NOV No. W2015-08-N-0015.

10. DEQ file review revealed that the preceding storm interval was reported as less-than 72 hours on the Benchmark and CB-TMDL DMRs for Outfall 001 and 002 for the July 1 – December 31, 2015, monitoring period, as required in Part I.A.2.b of the Permit.
11. On April 15, 2016 DEQ issued Dominion Pallet, Inc. NOV No. W2016-04-N-0010.
12. DEQ file review revealed that the preceding storm interval was reported as less-than 72 hours on the Benchmark DMR for Outfall 001 and 002 for the January 1 – June 30, 2016, monitoring period, as required in Part I.A.2.b of the Permit.
13. On September 19, 2016 DEQ issued Dominion Pallet, Inc. NOV No. W2016-08-N-0024.
14. DEQ file review revealed that CSCE and Annual Outfall Evaluations, required in Part III.D.2 of the Permit, and outlined in the July 27, 2015, Letter of Agreement, were not received by DEQ. Attempts by DEQ staff to request (by email) the documentation on February 9, 2017, and March 15, 2017, met no response.
15. DEQ file review revealed that Benchmark DMRs for Outfalls 001 and 002 for the July 1 – December 31, 2016, monitoring period were not received by DEQ.
16. DEQ file review revealed that Benchmark DMRs for Outfalls 001 and 002 for the January 1 – June 30, 2017, monitoring period were not received by DEQ.
17. DEQ file review revealed that Benchmark DMRs for Outfalls 001 and 002 for the July 1 – December 31, 2017, monitoring period were not received by DEQ.
18. DEQ file review revealed that Benchmark DMRs for Outfalls 001 and 002 for the January 1 – June 30, 2018, monitoring period were not received by DEQ.
19. The following NOV's were issued in response to these monitoring and reporting deficiencies: NOV No. W2017-04-N-0007, issued April 17, 2017; NOV No. W2017-08-N-0010, issued October 18, 2017; NOV No. W2018-03-N-0014, issued March 27, 2018; and NOV No. W2018-08-N-0001, issued September 12, 2018.
20. DEQ file review revealed that Benchmark DMRs for Outfalls 001 and 002 for the July 1 – December 31, 2018 monitoring period were not received by DEQ.
21. On December 19, 2018, DEQ staff conducted a compliance inspection of the Facility and noted the following deficiencies:
 - a. Quarterly visual monitoring documentation was not available for the 4th Quarter of 2015, and 1st – 4th Quarters of 2016, as required in Part I.A.1.a of the Permit.

- b. Explanatory documentation detailing rationale for Dominion Pallet, Inc.'s inability to obtain DMR samples, and documentation detailing rain events, were not present within the SWPPP, as required in Part I.A.2.e of the Permit.
 - c. No corrective actions to benchmark exceedances were documented in the 2nd Half 2015 and 1st Half 2016 DMRs, as required in Part I.A.6.a of the Permit.
 - d. The Facility's CB-TMDL calculation spreadsheet and resulting analysis was unavailable, as required in Part I.B.7.b.(3).
 - e. The following housekeeping items were deficient with respect to the requirements of Part III.B.4.b.(1) of the Permit:
 - i. Hydraulic fluid was observed on the ground near the nail building.
 - ii. Scrap wood, dust, and trash were observed on the ground between the saw and lumber storage buildings.
 - iii. Outfall 001's pipe was filled with sediment.
 - iv. An oil sheen was observed in puddles along the stormwater flow path leading away from Outfall 001.
 - v. A hole was observed in the concrete structure of the drop inlet for Outfall 001.
 - vi. An oil sheen was observed in a puddle along the stormwater flow path leading away from Outfall 002.
 - vii. Wood chips were exposed to stormwater at the wood chipper unit.
 - viii. Excessive saw dust accumulation at the saw dust collection system area which was exposed to stormwater.
 - ix. Excessive saw dust and scrap wood accumulated throughout the facility which was exposed to stormwater.
 - f. Employee SWPPP training documentation was not available, as required by Part III.B.4.b.(6) of the Permit.
 - g. Routine site inspections, requirement of Part III.B.5 of the Permit, were not available for the 3rd and 4th Quarters of 2014, the 1st and 2nd Quarters of 2015, the 1st and 2nd Quarters of 2016, and the 1st – 3rd Quarters of 2018. No documentation for corrective actions were noted in the completed routine site inspection reports. Existing reports did not indicate whether inspections occurred during stormwater discharge events.
 - h. The Facility's CSCE had not been conducted for 2017, as required by Part III.E of the Permit.
22. On March 8, 2019, DEQ issued NOV No. 2019-02-N-0008 to Dominion Pallet, Inc. for the deficiencies observed during the December 19, 2018 inspection and the failure to submit benchmark DMRs for Outfalls 001 and 002 for the June 1, 2018-December 31, 2018 monitoring period.
23. Part I.A.1.a of the Permit requires that the Facility conduct quarterly visual examinations of stormwater discharges associated with industrial activity from each of the facility's outfalls.

24. Part I.A.1.b, Table 70-1 & Part I.A.2.d.(2) & Part I.A.5.a of the Permit require that the Facility perform sampling of, and submit to DEQ analytical results of, Benchmark DMRs semi-annually.
25. Part I.A.2.b of the Permit requires that preceding storm event information be reported on DMR submissions. Preceding storm intervals shall not be less-than 72 hours, unless it can be demonstrated that a less-than 72 hour interval is representative of the local storm events during the monitoring period.
26. Part I.A.2.e of the Permit requires that the SWPPP document explanations of a Facility's inability to obtain a discharge sample for DMR purposes.
27. Part I.A.6.a & b. of the Permit requires that corrective actions in response to Benchmark exceedances be documented in the SWPPP.
28. Part I.B.7.b.(1) and Part I.B.7.b.(3) of the Permit requires that the Facility perform sampling of, and submit to DEQ analytical results of, CB-TMDL DMRs semi-annually for the first two years of the Permit cycle. Results must then be analyzed and documented for the necessity of determining whether additional actions are necessary to improve discharge pollutant levels.
29. Part II.D of the Permit requires that Dominion Pallet, Inc. provide information requested by the Department to determine compliance with the Permit.
30. Part III.B.4.b.(1) of the Permit requires that Facility housekeeping be maintained.
31. Part III.B.4.b.(6) of the Permit requires that employee SWPPP training be conducted and documented.
32. Part III.B.5 of the Permit requires that Routine Facility Inspections be conducted and documented in the SWPPP at least quarterly.
33. Part III.D.2 of the Permit requires that the SWPPP include documentation of annual outfall evaluations for the presence of unauthorized discharges.
34. Part III.E of the Permit requires that Dominion Pallet, Inc. conduct a Comprehensive Site Compliance Evaluation at least annually.
35. Based on the results of the April 29, 2015, and December 19, 2018, inspections, in addition to the regular file reviews, the Board concludes that Dominion Pallet, Inc. has violated Part I.A.1.a, Part I.A.1.b (Table 70-1), Part I.A.2.d.(2), Part I.A.5.a, Part I.A.2.b, Part I.A.2.d.(1), Part I.A.2.e, Part I.A.6.a & b, Part I.B.7.b.(1), Part I.B.7.b.(3), Part II.D., Part III.B.4.b.(1), Part III.B.4.b.(6), Part III.b.5, Part III.D.2, and Part III.E of the Permit as noted in paragraph C(1) – C(34) of this Order.

36. NRO issued Warning Letters (WL) and Notices of Violation (NOV) for the violations noted above as follows:

- a. WL 2010-03-N-1023, issued March 4, 2010
- b. WL W2011-03-N-1031, issued March 31, 2011
- c. NOV W2014-03-N-0003, issued March 11, 2014
- d. NOV W2015-03-N-0015, issued March 25, 2015
- e. NOV W2015-06-N-0015, issued June 30, 2015
- f. NOV W2015-08-N-0015, issued on September 22, 2015
- g. NOV W2016-04-N-0010, issued on April 15, 2016
- h. NOV W2016-08-N-0024, issued on September 19, 2016
- i. NOV W2017-04-N-0007, issued on April 17, 2017
- j. NOV W2017-08-N-0010, issued on October 18, 2017
- k. NOV W2018-03-N-0014, issued on March 27, 2018
- l. NOV W2018-08-N-0001, issued on September 12, 2018, and
- m. NOV 2019-02-N-0008, issued on March 8, 2019

37. Va. Code § 62.1-44.5 states that: “[E]xcept in compliance with a certificate issued by the Board, it shall be unlawful for any person to discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances

38. The Regulation, at 9 VAC 25-151-70, also states that except in compliance with a VPDES permit, or another permit issued by the Board, it is unlawful to discharge into state waters sewage, industrial wastes or other wastes.

39. Va. Code § 62.1-44.15(5a) states that a VPDES permit is a “certificate” under the statute.

40. The Department has issued coverage under no permits or certificates to Dominion Pallet, Inc. other than under VPDES Permit No. VAR05.

41. The unnamed tributary of Cub Creek is a surface water located wholly within the Commonwealth and is a “state water” under State Water Control Law.

42. On February 21, 2019, Department staff met with representatives of Dominion Pallet, Inc. to discuss the violations.

43. In order for Dominion Pallet, Inc. to return to compliance, DEQ staff and Dominion Pallet, Inc. have agreed to the Schedule of Compliance, which is incorporated as Appendix A of this Order.

SECTION D: Agreement and Order

Accordingly, by virtue of the authority granted it in Va. Code § 62.1-44.15, the Board orders Dominion Pallet, Inc., and Dominion Pallet, Inc. agrees to:

1. Perform the actions described in Appendix A of this Order; and
2. Pay a civil charge of **\$20,484.10** in settlement of the violations cited in this Order. This civil charge shall be paid in accordance with the following schedule:

Due Date	Amount
30 days after Order execution	\$1,707.10 or balance
60 days after Order execution	\$1,707 or balance
90 days after Order execution	\$1,707 or balance
120 days after Order execution	\$1,707 or balance
150 days after Order execution	\$1,707 or balance
180 days after Order execution	\$1,707 or balance
210 days after Order execution	\$1,707 or balance
240 days after Order execution	\$1,707 or balance
270 days after Order execution	\$1,707 or balance
300 days after Order execution	\$1,707 or balance
330 days after Order execution	\$1,707 or balance
360 days after Order execution	\$1,707 or balance

3. If the Department fails to receive a civil charge payment pursuant to the schedule described above, the payment shall be deemed late. If any payment is late by 30 days or more, the entire remaining balance of the civil charge shall become immediately due and owing under this Order, and the Department may demand in writing full payment by Dominion Pallet, Inc. Within 15 days of receipt of such letter, Dominion Pallet, Inc. shall pay the remaining balance of the civil charge. Any acceptance by the Department of a late payment or of any payment of less than the remaining balance shall not act as a waiver of the acceleration of the remaining balance under this Order. Payment shall be made by check, certified check, money order or cashier's check payable to the "Treasurer of Virginia," and delivered to:

Receipts Control
Department of Environmental Quality
Post Office Box 1104
Richmond, Virginia 23218

Dominion Pallet, Inc. shall include its Federal Employer Identification Number (FEIN) with the civil charge payment and shall indicate that the payment is being made in accordance with the requirements of this Order for deposit into the Virginia Environmental Emergency Response Fund (VEERF). If the Department has to refer collection of moneys due under this Order to the Department of Law, Dominion Pallet, Inc. shall be liable for attorneys' fees of 30% of the amount outstanding.

SECTION E: Administrative Provisions

1. The Board may modify, rewrite, or amend this Order with the consent of Dominion Pallet, Inc. for good cause shown by Dominion Pallet, Inc., or on its own motion pursuant to the Administrative Process Act, Va. Code § 2.2-4000 *et seq.*, after notice and opportunity to be heard.
2. This Order addresses and resolves only those violations specifically identified in Section C of this Order. This Order shall not preclude the Board or the Director from taking any action authorized by law, including but not limited to: (1) taking any action authorized by law regarding any additional, subsequent, or subsequently discovered violations; (2) seeking subsequent remediation of the facility; or (3) taking subsequent action to enforce the Order.
3. For purposes of this Order and subsequent actions with respect to this Order only, Dominion Pallet, Inc. admits the jurisdictional allegations, findings of fact, and conclusions of law contained herein.
4. Dominion Pallet, Inc. consents to venue in the Circuit Court of the City of Richmond for any civil action taken to enforce the terms of this Order.
5. Dominion Pallet, Inc. declares it has received fair and due process under the Administrative Process Act and the State Water Control Law and it waives the right to any hearing or other administrative proceeding authorized or required by law or regulation, and to any judicial review of any issue of fact or law contained herein. Nothing herein shall be construed as a waiver of the right to any administrative proceeding for, or to judicial review of, any action taken by the Board to modify, rewrite, amend, or enforce this Order.
6. Failure by Dominion Pallet, Inc. to comply with any of the terms of this Order shall constitute a violation of an order of the Board. Nothing herein shall waive the initiation of appropriate enforcement actions or the issuance of additional orders as appropriate by the Board or the Director as a result of such violations. Nothing herein shall affect appropriate enforcement actions by any other federal, state, or local regulatory authority.
7. If any provision of this Order is found to be unenforceable for any reason, the remainder of the Order shall remain in full force and effect.
8. Dominion Pallet, Inc. shall be responsible for failure to comply with any of the terms and conditions of this Order unless compliance is made impossible by earthquake, flood, other acts of God, war, strike, or such other unforeseeable circumstances beyond its control and not due to a lack of good faith or diligence on its part. Dominion Pallet, Inc. shall demonstrate that such circumstances were beyond its control and not due to a lack of good faith or diligence on its part. Dominion Pallet, Inc. shall notify the DEQ Regional Director verbally within 24 hours and in writing within three business days when circumstances are anticipated to occur, are occurring, or have occurred that may delay compliance or cause noncompliance with any requirement of the Order. Such notice shall set forth:

- a. the reasons for the delay or noncompliance;
- b. the projected duration of any such delay or noncompliance;
- c. the measures taken and to be taken to prevent or minimize such delay or noncompliance;
and
- d. the timetable by which such measures will be implemented and the date full compliance will be achieved.

Failure to so notify the Regional Director verbally within 24 hours and in writing within three business days, of learning of any condition above, which the parties intend to assert will result in the impossibility of compliance, shall constitute a waiver of any claim to inability to comply with a requirement of this Order.

9. This Order is binding on the parties hereto and any successors in interest, designees and assigns, jointly and severally.
10. This Order shall become effective upon execution by both the Director or his designee and Dominion Pallet, Inc. Nevertheless, Dominion Pallet, Inc. agrees to be bound by any compliance date which precedes the effective date of this Order.
11. This Order shall continue in effect until:
 - a. The Director or his designee terminates the Order after Dominion Pallet, Inc. has completed all of the requirements of the Order;
 - b. Dominion Pallet, Inc. petitions the Director or his designee to terminate the Order after it has completed all of the requirements of the Order and the Director or his designee approves the termination of the Order; or
 - c. the Director or Board terminates the Order in his or its sole discretion upon 30 days' written notice to Dominion Pallet, Inc..

Termination of this Order, or any obligation imposed in this Order, shall not operate to relieve Dominion Pallet, Inc. from its obligation to comply with any statute, regulation, permit condition, other order, certificate, certification, standard, or requirement otherwise applicable.

12. Any plans, reports, schedules or specifications attached hereto or submitted by Dominion Pallet, Inc. and approved by the Department pursuant to this Order are incorporated into this Order. Any non-compliance with such approved documents shall be considered a violation of this Order.
13. The undersigned representative of Dominion Pallet, Inc. certifies that he or she is a responsible official authorized to enter into the terms and conditions of this Order and to

execute and legally bind Dominion Pallet, Inc. to this document. Any documents to be submitted pursuant to this Order shall also be submitted by a responsible official of Dominion Pallet, Inc.

14. This Order constitutes the entire agreement and understanding of the parties concerning settlement of the violations identified in Section C of this Order, and there are no representations, warranties, covenants, terms or conditions agreed upon between the parties other than those expressed in this Order.

15. By its signature below, Dominion Pallet, Inc. voluntarily agrees to the issuance of this Order.

And it is so ORDERED this 12th day of August, 2019.



Thomas A Faha, Regional Director
Department of Environmental Quality

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Dominion Pallet, Inc. voluntarily agrees to the issuance of this Order.

Date: 6/10/19 By: *Matt Yancey*, General Manager
(Person) (Title)
Dominion Pallet, Inc.

Commonwealth of Virginia
City/County of LOUISA

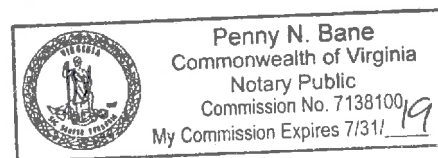
The foregoing document was signed and acknowledged before me this 10th day of
June, 2019, by Matt Yancey who is
General Manager of Dominion Pallet, Inc., on behalf of the corporation.

Penny N. Bane
Notary Public

7138100
Registration No.

My commission expires: 7-31-19

Notary seal:



APPENDIX A SCHEDULE OF COMPLIANCE

1. Dominion Pallet, Inc. shall complete the following:

- a. **Facility Housekeeping:** Submit for DEQ comment, within 30 days of the execution of this Order, a Corrective Action Plan detailing actions and practices (ongoing or planned) to improve and maintain housekeeping at the facility. This plan shall include: the removal of wood scraps and shavings from stormwater outfalls; the identification of, and correction of, any oil release from property equipment; the corrective maintenance of outfall structures; the identification of, and correction of, any hydraulic fluid release from property equipment; and the elimination of excessive saw dust and wood chip accumulation from unprotected areas of the Facility. This plan's effective date for full implementation shall be no later than 90 days after its submission.
- b. **Benchmark Exceedance Corrective Actions:** Submit for DEQ comment, within 30 days of the execution of this Order, a Corrective Action Plan (CAP) detailing the actions Dominion Pallet, Inc. will take to address benchmark exceedances identified in the 2015 and 2016 DMRs. Corresponding SWPPP revisions resulting from corrective actions shall be submitted to DEQ for comment within 30 days of the submission of the CAP.
- c. **CB-TMDL Analysis:** Within 30 days of this Order's execution, Dominion Pallet, Inc. shall submit the Facility's CB-TMDL calculation spreadsheet and resulting analysis.
- d. **Quarterly Visual Monitoring:** Submit a copy of the quarterly Visual Monitoring examination report for the two quarters following execution of this Order. These shall be received no later than the 10th day of the month following the examined quarter, e.g. a report for the January – March monitoring period would be due no later than April 10th.
- e. **Quarterly Routine Facility Inspection:** Submit a copy of the quarterly Routine Facility Inspection report for the two quarters following execution of this Order. These shall be received no later than the 10th day of the month following the examined quarter, e.g. a report for the January – March monitoring period would be due no later than April 10th.
- f. **SWPPP Training:** Submission of the 2019 employee SWPPP training records to DEQ within 30 days of the employee training, but not later than January 10, 2020.

2. DEQ Contact

Unless otherwise specified in this Order, Dominion Pallet, Inc. shall submit all requirements of Appendix A of this Order to:

Virginia Department of Environmental Quality
Northern Regional Office
Attn: Enforcement
13901 Crown Court, Woodbridge, VA 22193